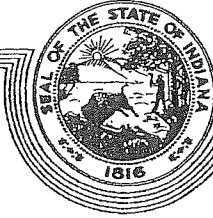


STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
101 W. WASHINGTON STREET, SUITE 1500E
INDIANAPOLIS, INDIANA 46204-3407

<http://www.in.gov/iurc>
Office: (317) 232-2701
Facsimile: (317) 232-6758

May 6, 2013

Mark J. Grimmer
Grimmer Construction Company
2619 Main Street
Highland, Indiana 46322

Subject: In Re the Investigation of Grimmer Construction Company
Case Number: 4473

Dear Mr. Grimmer,

As Legal Advisor to the Indiana Underground Plant Protection Advisory Committee ("Advisory Committee"), I write to provide you a copy of the Investigation Report and Findings filed by the Indiana Utility Regulatory Commission's Division of Pipeline Safety ("Division") regarding the matter referenced above.

Please note that your case is scheduled before the Advisory Committee on May 21, 2013 at 10:00 a.m. EDT at the Indiana 811 Office – 1433 Holey Moley Way, Greenwood, IN 46142. As the Respondent, you may appear at the meeting, but you are not required to attend.

As you may know, the Advisory Committee's consideration of your case is not a hearing and there will not be an opportunity to present oral evidence or witnesses. Pursuant to 170 IAC 5-5-3(e), you may provide additional written evidence (correspondence, documents, photos, maps or drawings, etc.) at the meeting or you can send the documents to the Division. Documents sent to the Division must be received at least seven (7) days prior to the date your case will be heard. Only information received by that time will be copied and provided to the Advisory Committee for consideration.

Please forward any documentation to the address below or scan the materials and send them electronically. Be sure to include your assigned Pipeline Safety Division Case Number on all communications. Please add your Case Number and denote "ADDITIONAL DOCUMENTS - EXCAVATOR" at the top of your materials or in the subject heading of your email.

Mail: Pipeline Safety Division – Case No. 4473
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 E
Indianapolis, IN 46204

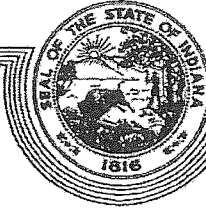
Email: PipelineDamageCase@urc.in.gov

Earlier you were provided a copy of the Summary of Procedures and Respondent's Rights which provides an explanation of your rights regarding these matters. You can access this document at <http://www.in.gov/iurc/2335.htm>.

Sincerely,

DeAnna L. Poon
Legal Advisor, Advisory Committee
Assistant General Counsel, IURC

Attachment: Investigation Summary Report



Pipeline Safety Division Investigation Report

Investigation regarding: Grimmer Construction Company

UPPAC Database Record ID: 4473

Report Date: 4/18/2013

Investigator: Howard Friend

Damage Date: 2/14/2013 3:03:30 PM

Damage Address: 2nd Ave Nw, Keener, Jasper

The Parties

Excavator: Grimmer Construction Company

Address: 2619 Main Street, Highland, In 46322

Facility Owner: NIPSCO

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

Type of Equipment: Backhoe/Trackhoe

Type of Work Performed: Water

Damage Impact

Product Release: Yes

Ignition: No

Service Interruption: True

Number of Customers Affected: 1

Injuries: 0

Fatalities: 0

Repair Cost (if known): \$

Excavator Activities/Cause of Damage Information:

Excavator Request Locates: Yes

Indiana 811 Ticket Number: 1302061096 Original Start Date: 2/8/2013

Locate Instructions: From the west side of the above intersection locate going east along both sides of 2nd avenue northwest from right of way to right of way for approx 600 feet to the centerline of the driveway at the address of 614 2nd avenue northwest

Follow-Up Locate Instructions (if applicable):

Synopsis: A natural gas service was damaged during excavation for a water line.

Findings: Reported by Indiana 811; excavator's response to initial notice was received on 4/11/2013. The excavator had a valid locate request and the operator provided accurate locate markings. The excavator exposed one gas line and reported they accidentally covered the marks for a second service and forgot the second line was in place. They damaged the second line as they expanded the excavation site.

Conclusion: There was a failure to plan excavation to avoid damage.

Violation: 8-1-26-20(a)(1) Failure to plan excavation to avoid damage or interference with underground facilities.